

REMARKS

This Amendment is responsive to the Office Action mailed on November 22, 2006. The Examiner's comments in said Office Action have been carefully considered.

Initially, the Examiner has rejected claims 2-5 under 35 U.S.C. 112, second paragraph, as being indefinite, for the reason set forth in paragraph 3 of the Office Action. Claim 13 has also been rejected because of insufficient antecedent basis for the phrase "communication system" in line 3. Claims 8-11 have also been objected to because they depend on a previously cancelled claim 7. These as well as the other claims have been amended to address these rejections and objections and it is respectfully submitted that these has been overcome. All of the claims now of record are believed to particularly point out and distinctly claim the subject matter which applicant regards is the invention. Accordingly, reconsideration and withdrawal of the aforementioned rejections and objections is respectfully requested.

Regarding the prior art rejections, it is noted that, in response to the previously submitted arguments with respect to claims 1 and 15, the Examiner has indicated that such arguments are now moot in view of a new grounds of rejections. As explained in paragraphs 1 and 4 of the Office Action the new rejections are based on a newly cited U.S. Published Patent Application 2002/0019985 to Fuccello in view of or when combined with one or more secondary references. Thus, claims 1-3, 9-12, 15-17 and 19-21 have been rejected as being obvious and, therefore, unpatentable in view of Fuccello in view of Malkin '650 for reasons set forth on pages 3-8 of the Office Action, while claims 4, 5 and 8 have similarly been rejected on the basis of Fuccello and Malkin in

further view or when further combined with Published U.S. Patent Application No. 2003/0032414 to Melaku, for reasons set forth on pages 8-9. Claims 13 and 14 have similarly been rejected but on a combination of Fuccello and Malkin in further view or when further combined with U.S. Published Patent Application No. 2001/0009025 to Ahonen.

In order to more clearly define the invention and distinguish same over the applied prior art, claims 1, 15 and 21 have been amended. More specifically, claim 1 has been amended to define an apparatus used within a communication system of the type disclosed which includes an identifier that is coupled to the mobile station and the core network portion. Such identifier is designated by the reference numeral 38, for example, in Fig. 1. The identifier receives an authentication request requesting authentication by the mobile station through interaction with a selected authenticator, the identifier being used for identifying indicia associated with the selected authenticator. The indicia is used to facilitate delivery of the authentication request in the selected authenticator. A feature of the invention is that the identifier is formed of a proxy located at the selected network portion. Claim 15, for a method of communicating in a communication system, has been amended, wherein the method of facilitating authentication of the mobile station comprises the steps of detecting the generation of an authentication request requesting authentication by the mobile station through interaction with a selected authenticator and identifying indicia associated with the selected authenticator. The indicia is used to facilitate delivery of the authentication request through the selected authenticator. The step of identifying being performed by a proxy located at the selected access network portion. Claim 21, for a communication system, defines the overall system generally

illustrated in Fig. 1, in which the apparatus is defined substantially as previously indicated with regard to amended claim 1.

In view of the amendments to the claims and the remarks that follow the prior art rejections under 35 U.S.C. 103 are respectfully traversed. The Examiner is respectfully requested to reconsider and withdraw these rejections.

The Examiner has evidently cited Fuccello to overcome the previous arguments that Malkin does not teach an architecture including a proxy, and that a mobile station issues an authentication request. Henceforth, it is obviously assumed by the Examiner that Fuccello teaches the architecture according to the present invention, and Malkin teaches the proxy functionality and the contents of the indicia used.

However, Fuccello is obviously not (at least not primarily) directed to the authentication of a mobile station with a core network. It appears that paragraphs [0017] and [0075] to [0080] in connection with Fig. 12 are the most relevant parts thereof.

According thereto, Fuccello describes a communication system having a network part with plural access network portions (i.e. access nodes) and a core network portion (i.e. content providers and content databases). The mobile terminal according to Fuccello may communicate with the core network parts via at least one of the access nodes coupled to the terminal and to the core network. The mobile terminal may further be authenticated by transmitting an authentication request to an access node and to an authentication server (i.e. authenticator), which might possibly be regarded to be associated in some way with the access network portion of the communication system.

Apart from the rather general similarities set out above Fuccello differs from the present invention as follows:

a) The authentication server according to Fuccello is “connected to all the (access) nodes” (cf. [0080]). That is, as is also evident from Fig. 12, the authentication server is obviously coupled with the access network portion of the communication system, and not with the core network portion according to the present invention.

b) There is only one authenticator mentioned according to Fuccello, which obviously serves for several access nodes, i.e. for several access network portions (cf. [0018]). In contrast thereto, according to the present invention, there are provided plural authenticators each of which is associated with one access network portion (cf. page 12, lines 15-18, and Fig. 1 of the present application).

According to claim 1, this becomes clear, on the one hand, in that an authenticator is selected in accordance with a selected access network portion. Contrary thereto, the authentication server of Fig. 12 of Fuccello is obviously used for authentication regardless of which access node is selected for communication.

c) Even if an access node according to Fuccello might be regarded as an authentication facilitating apparatus according to the present invention, there is no indication that the access node comprises some kind of “identifier”. Rather, according to Fuccello and contrary to the present invention, the access node does obviously nothing else than merely relay any kind of communication between the mobile terminal and the core network or the authentication server. That is, there is no indication in Fuccello for any kind of identifying functionality. Hence, the access node according to Fuccello may not be regarded as an apparatus as defined in claim 1.

Although it is believed that the differences set out above already become clear from the previous claims on file, thus properly distinguishing the subject matter claimed

over Fuccello, amended independent claims 1, 15 and 21 more clearly and patentably distinguish over Fuccello and the other applied references.

Thus, the effected claim amendments to the subject matter claimed even more clearly and unambiguously distinguished against Fuccello, in particular with respect to above-mentioned differences (a) and (b).

With the thus amended claims, Fuccello is believed to be no longer feasible to be relied upon for an obviousness rejection, which is due to the different architecture as compared with the claimed architecture.

Additionally, the thus amended claims could also not be rendered obvious by Malkin and/or Melaku. This is because Malkin does not describe plural access networks and/or plural authenticators, and Melaku, although describing plural access networks, teaches that the authenticators are coupled to the access networks (i.e. MSC 106A, MSC 106B), and not to the core network 108.

Furthermore, it is believed that a combination of these three documents is probably neither obvious nor feasible.

This is mainly due to the different underlying network architectures (i.e. Fuccello: one authenticator couple several access networks; Malkin: one authentication server coupled to one access network; Melaku: plural authentication servers coupled to one access network each). And even if combined, it is believed that the thus claimed network architecture according to the present invention (i.e. plural authenticators associated with one access network each, but coupled with the core network) could not be rendered obvious thereby. Additionally, there is not recognizable, in any one of these documents, any indication or suggestion in favour of their combination.

Rather, these documents obviously aim at different architectures, objects and results, such not promoting any suggestions or providing any incentives to combine the references as proposed by the Examiner. In this connection, reference is made to the arguments presented at pages 11-14 of the Amendment mailed by applicant on December 16, 2005 dealing with suggestions to combine references, and these arguments are incorporated herein.

Consequently, no cited document taken alone and no combination of cited documents renders obvious the subject matter as defined in amended independent claims 1, 15 and 21, thus being allowable.

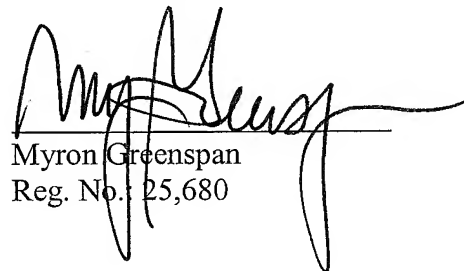
In view of the foregoing, it is respectfully submitted that claims 1, 15 and 21 clearly and patentably distinguish over the art and should be allowed. The remaining claims depend directly or indirectly on allowable claims 1, 15 and 21 and should, therefore, be allowed with the allowance thereof.

Early allowance and issuance of this application is, therefore, respectfully requested.

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Respectfully submitted,



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